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Number of Pages (including this page)

Date: April 25, 2005  
To: Examiner: Deppe, B. -Group Art Unit: 2634  
Location: United States Patent and Trademark Office  
Fax No.: (703) 872-9306  
From: Steven A. May - Registration No. 44,912  
Subject: Serial No.09/744,893 - Morgan et al.

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**MESSAGE:**

Enclosed herewith, please find REQUEST FOR CONTINUED EXAMINATION and AMENDMENT AND RESPONSE for filing in the below-identified application.

**PLEASE GIVE THESE PAPERS TO:**

EXAMINER: Deppe, B.  
GROUP ART UNIT: 2634  
SERIAL NO.: 09/744,893  
FILED: JANUARY 31, 2001  
INVENTOR: MORGAN ET AL.  
DOCKET NO. CE08567R

# **REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/744,893
Filing Date	January 31, 2001
First Named Inventor	Morgan et al.
Group Art Unit	2634
Examiner Name	Deppe, B.
Attorney Docket Number	CE08567R

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO).

1. Submission required under 37 C.F.R. 1.114 Note: if the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

2. ☐ Miscellaneous

a. ☐ Suspension of Action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.117(i) required.)

b. ☐ Other \_\_\_\_\_

3. ☒ Fees The RCE fee under 37 C.F.R. 1.117 (e) is required by 37 C.F.R. 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 502117.

i. ☒ RCE fee required under 37 C.F.R. 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed..

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## **SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (Printed/Type)  
Signature

Steven A. May

Reg. No. 44,912

Date April 25, 2005

## **CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U. S. Patent and Trademark Office on: April 25, 2005

Name Nanette Orr

Signature